

REMARKS

Claim 7 has been amended. Claims 6 and 32-39 have been withdrawn based on the Election of Species requirement. Claim 40 has been added. No claims have been cancelled with this Reply. Therefore, Claims 3-5, 7-10, 12-15 and 40 are currently pending.

Prior Art Rejections

In responding to the Examiner's prior art rejections, Assignee here only justifies the patentability of the independent claim (*i.e.*, claim 7). As the Examiner will appreciate, should these independent claims be patentable over the prior art, dependent claims would also necessarily be patentable. Accordingly, Assignee does not separately discuss the patentability of the dependent claims, although Assignee reserves the right to do so.

1. Section 102 Rejections

The Examiner has rejected independent claim 7 and dependent claims 3 and 12 as allegedly being anticipated under 35 U.S.C. 102(e) by US Patent No. 5,995,608 to Detample, Jr. et al. (Detample).

Detample is directed to "An on-demand teleconferencing system and method for setting up an on-demand conference call in a telecommunications system having the Advanced Information Network (AIN) architecture with system signaling the number 7 (SS7) and a Public Switched Telephone Network (PSTN). A subscriber is assigned an on-demand conference call number. When that number is dialed into the PSTN, it is identified by the PSTN that the dialed number requires handling by the SS7. The SS7 links the dialed number to a conference allocation and control system (CACS) which is connected to a plurality of scalable bridge servers. The CACS selects bridge servers available to handle the conference call and based upon a selection criteria such as a peak load sets up the on-demand conference call in one of the selected bridge servers." Detample at Abstract.

Furthermore, one of the requirements of Detample is “[p]rior to a conference, the subscriber must choose a PIN for the conference and distribute the PIN and the unique on-demand access number to the participants.” Detample ¶ 64. This requirement for distributing a PIN clearly indicates that participants of a conference must have been notified ahead of time. Detample is silent as to any kind of capability for participants already participating in a conference to direct the MCU to “initiate an outbound call request” and add another participant.

In responding to Assignee’s previous remarks the Examiner asserts that Assignee’s claims were not “specific enough [regarding] where the ‘call request’ originate.” Final Office Action dated 05 October 2009 at p. 5. The Examiner further appears to admit that Detample is in line with “being based on inbound call initiated by another endpoint not currently participating in the conference.” Final Office Action dated 05 October 2009 at pp. 5-6. As amended independent claim 7 clearly recites, *inter alia*, “initiating an outbound call request” and “said additional endpoint which is not already participating in the audio conference.” As admitted by the Examiner, each of these elements is not disclosed in Detample. Accordingly, because Detample does not disclose each and every claim element, Detample cannot anticipate independent claim 7. Assignee respectfully requests the Examiner withdraw this rejection and pass independent claim 7 to allowance. For at least the same reasons, claims 3 and 12, each of which depends from independent claim 7 are also allowable over Detample. Such action is respectfully requested.

2. Section 103 Rejections

The Examiner has rejected claims 4-5 as allegedly being unpatentable under 35 U.S.C. 103(a) over Detample in view of US Patent 6,421,339 to Thomas (“Thomas”). Office Action dated 05 October 2009 at p. 10.

The Examiner has rejected claims 8-10 as allegedly being unpatentable under 35 U.S.C. 103(a) over Detample in view of US Patent 5,978,463 to Jurkevics et al. ("Jurkevics"). Office Action dated 05 October 2009 at p. 11.

The Examiner has rejected claims 13-14 as allegedly being unpatentable under 35 U.S.C. 103(a) over Detample in view of US Patent 5,680,392 to Semaan ("Semaan"). Office Action dated 05 October 2009 at p. 12.

The Examiner has rejected claim 15 as allegedly being unpatentable under 35 U.S.C. 103(a) over Detample in view of Semaan and further in view of US Patent Publication No. 2005/0165984 to Rosenberg et al. ("Rosenberg"). Office Action dated 05 October 2009 at p. 14.

Each of claims 4-5, 8-10, 13-14 and 15 depend from independent claim 7. Assignee has shown above that, as amended, independent claim 7 is patentable over Detample. Therefore, each of claims 4-5, 8-10, 13-14 and 15 are patentable over the combination of Detample and these various secondary references. Assignee respectfully requests the Examiner withdraw these rejections and issue a notice of Allowance for all pending claims.

New independent claim 40

Assignee has added new independent claim 40 which recites, inter alia, "placing an outbound point to point call from the multipoint control unit to the additional endpoint; and adding the additional endpoint to the audio conference." At least for the reasons stated above, this claim is also patentable over the cited art. Therefore, Assignee respectfully requests the Examiner issue a notice of Allowance for all pending claims.

CONCLUSIONS

This paper is intended to be a complete response to the above-identified Office Action. It is believed that a Request for Continued Examination fee is due and is paid herewith. No other fees are believed due with this reply. However, the Commissioner is authorized to deduct any necessary charges from Deposit Account: 501922/199-0248US-C.

Reconsideration of pending claims 3-5, 7-10 and 12-15 in light of the above remarks is respectfully requested. If, after considering this reply, the Examiner believes that a telephone conference would be beneficial towards advancing this case to allowance, the Examiner is strongly encouraged to contact the undersigned attorney at the number listed.

Respectfully submitted,

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